

Applicants' amended independent claim 38 recites a memory means for storing an image signal outputted from an image pickup. A reproducing means reproduces the image signal stored by the memory means. A producing means produces reference information on the basis of the reproduced image signal.

Processing means then perform a predetermined processing on the reproduced image signal on the basis of the reference information.

Such a construction is not taught or suggested by the Sasaki, et al. patent. More particularly, the Examiner equates the reproducing unit 90 shown in FIG. 11 of the Sasaki, et al. patent to applicants' recited reproducing means. The Examiner then attempts to equate the CPU 102 of the reproducing unit 90 of the Sasaki, et al. patent to applicants' producing means. In this regard, the Examiner states as follows:

"CPU 102 controls signal processing information based on information which was readout, which is considered reference information."

The Examiner cites col. 9, lines 52-55, of Sasaki, et al. as a basis for the above. These lines state:

"Further, CPU 102 controls the signal processing operation based on information of the imaging system and mode which has previously been read out."

Thus, the reference information alluded to by the Examiner previously read is information of the imaging system and mode. It is not information which is based on the image signal reproduced by the alleged reproducing means. This is

further substantiated by the passage immediately preceding the above-quoted lines, at column 9, lines 43-53 of the Sasaki, et al. patent, which provide as follows:

"then CPU 102 reads out information from the directory area in the memory card via card interface (card I/F) 91. CPU 102 determines whether the information classification of the specified file number is image data or not, the type of imaging system, and the type of compression mode. At the same time, CPU 102 determines the entry block number. The, CPU 102 reads out information of all the block numbers from the FAT area. After block numbers are supplied to card I/F 91, by means of CPU 102, it supplies addresses corresponding to the received block numbers so as to read out image data for each byte."

From the above passage, it is evident that the CPU first reads the information classification, the type of imaging system and the type of compression mode. It also reads an entry block number and then reads all block numbers. Thereafter, the block numbers are used to derive addresses from which the image data for each byte is read.

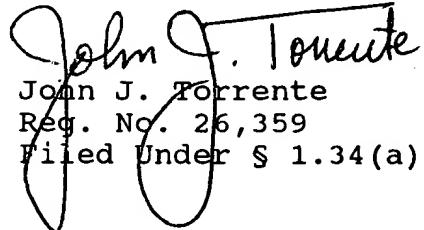
The alleged reference information in the Sasaki, et al. patent, therefore, cannot and is not based on the image data, since the image data is read out after the reference information is read out. Accordingly, the CPU 102 of the Sasaki et al. patent cannot be equated to applicants' claimed producing means, which requires that the reference information be produced based on the image signal reproduced by the reproducing means. As a result, the CPU 102 also cannot be equated to applicants'

recited processing means which processes the read out image signal based on the reference information.

Applicants' amended independent claim 38, and its dependent claims, thus patentably distinguish over the Sasaki, et al. patent. Added claim 45 has been patterned after amended claim 38. Added claim 45, and its dependent claims 46-50, thus also patentably distinguish over the Sasaki, et al. patent for the same reasons as discussed above with respect to amended claim 38.

In view of the above, it is submitted that applicants' claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested.

Respectfully submitted,


John J. Torrente
Reg. No. 26,359
Filed Under § 1.34(a)

ROBIN, BLECKER & DALEY
330 Madison Avenue
New York, New York 10017
(212) 682-9640
March 2, 1998